Attorney Docket No. 1003300-000723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Lars A. HANSON et al.

Application No.: 09/743,107

Filing Date: August 21, 2001

Title: PEPTIDES BASED ON THE SEQUENCE OF HUMAN LACTOFERRIN AND THEIR USE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No.: 1656

Examiner: C. KAM

Confirmation No.: 5780

Commissioner for Patents

P.O. Box 1450

AMENDMENT/REPLY TRANSMITTAL LETTER

Alexandria, VA 22313-1450 Sir: Enclosed is a reply for the above-identified patent application. A Petition for Extension of Time is enclosed. Terminal Disclaimer(s) and the \$\infty\$ \$65 \$\infty\$ \$130 fee per Disclaimer due under 37 C.F.R. § 1.20(d) are enclosed. 冈 Also enclosed is/are: Copy of Notice of Non-Compliant Amendment \Box Small entity status is hereby claimed. Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the \$\square\$ \$ 395 \$\sum \$ 790 fee due under 37 C.F.R. \ 1.17(e). П Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above. Applicant(s) previously submitted for which _ on __ continued examination is requested. П Applicant(s) requests suspension of action by the Office until at least , which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed. A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

\bowtie	No additional c	laim fee is	required.				
	An additional cl	aim fee is	required, and is	calculated	as shown below:		
AMENDED CLAIMS							
		No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee	
Total Claims 0		0	20	0	x \$ 50 (1202)	\$	
Indep	Independent Claims 0		3	0	x \$ 200 (1201)		
☐ If Amendment adds multiple dependent claims, add \$ 360 (1203)					\$		
Total Claim Amendment Fee						\$	
☐ Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee							
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$		
	Charge to Deposit Account No. 02-4800 for the fee due. A check in the amount of is enclosed for the fee due.						
	Charge		to credit card fo	or the fee d	ue. Form PTO-20	38 is attached.	
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.							
			Respectfully	submitted	,		
			Buchanan I	NGERSOLL (& ROONEY PC		
Date	January 5, 2007			ah H/Yellii tration No.			

P.O. Box 1404 Alexandria, VA 22313-1404 703 836 6620



1003300-000723

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,107	08/21/2001	Lars A. Hanson	003300-723	5780
21839 BUCHANAN,	7590 12/20/2006 INGERSOLL & ROONEY	EXAMINER		
POST OFFICE	EBOX 1404	KAM, CHIH MIN		
ALEXANDRI	A, VA 22313-1404		ART UNIT	PAPER NUMBER
•			1656	
				· · · · · · · · · · · · · · · · · · ·
SHORTENED STATUTOR	RY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
30 I	DAYS	12/20/2006	PAF	PER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

URGENT

DEC 2 1 2006

DOCKETED | 12/21/04

Prespose to NON-Compliant Dire:

1/20/07



Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.	Applicant(s)	
09/743,107	HANSON ET AL.	
Examiner	Art Unit	
Chih-Min Kam	1656	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 05 October 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

	.(•)	·
TH		LOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: 1. Amendments to the specification: A. Amended paragraph(s) do not include markings. B. New paragraph(s) should not be underlined. C. Other
		2. Abstract: A. Not presented on a separate sheet. 37 CFR 1.72. B. Other
		 3. Amendments to the drawings: A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. C. Other
		 4. Amendments to the claims: A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all pending claims (including withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: See Continuation Sheet.
	\boxtimes	5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
For	·furthe	er explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.
TIN	1E PE	RIODS FOR FILING A REPLY TO THIS NOTICE:
1.	filed	cant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the e corrected amendment must be resubmitted.
2.	corre (inclu	cant is given one month , or thirty (30) days, whichever is longer, from the mail date of this notice to supply the ction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment iding a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental andment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a

non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

CHIH-MIN KAM Telephone RUMARY EXAMINER

U.S. Patent and Trademark Office

Part of Paper No. 20061211

Continuation of 4(e) Other: The status identifiers of claims 54, 55, 66, 68-71, 73, 75, 76, 81-97,100-103, 105 and 106 are not correct, see item C above.